

07-19-04

1651/7  
JFW

PATENT  
Docket No. P-204.00 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
MATTES, *et al.* )  
Serial No.: 09/963,341 ) Art Unit: 1651  
Filed: September 24, 2001 )  
For: Alpha 1-Antitrypsin Preparation As Well ) Examiner: Weber, Jon P.  
As A Method For Producing The Same )  
\_\_\_\_\_ )

RESPONSE TO RESTRICTION REQUIREMENT  
UNDER 35 U.S.C. 121

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated April 15, 2004, applicant elects for further prosecution, without traverse, the claims of Group IV (Claims 59 – 73) drawn to a method of preparing purified  $\alpha_1$ -antitrypsin, classified in class 530, subclass 416. Applicant respectfully notes that the claims set forth in Groups II and III were cancelled, without prejudice, in the First Preliminary Amendment dated September 24, 2001.

Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect other non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

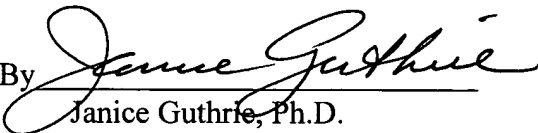
**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this document (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV 373262442 US in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on July 15, 2004.

By Mary Stickle  
Mary Stickle

The Commissioner is authorized to charge any required fees which may be due to  
Deposit Account No. **02-1440 (P-204.00 CON)**.

Respectfully submitted,

By   
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